SINGLE BENCH

(3)

IN THE HON'BLE HIGH COURT OF JUDICATURE, CHHATTISTGARH at BILASPUR.

P.R. No. 4191/05
Presented by Shri Vipin Panjabi
Date 13/8/05

WRIT PETITION NO. 4845 /2005.

1. **Devi Ram**
S/o Shri. Ramadhin,
Aged around 58 years,
Retired Helper, P.No. **45347**
H.S.C.L.- Bhilai
Resident of : Village – Boregaon,
Post – Nandkathi,
District : Durg (CG).

2. **Khuman Singh**
S/o Shri. Tetku,
Aged around 54 years,
Retired Helper, P.No. **45349**
H.S.C.L.- Bhilai
Resident of : Village – Ravalidih,
Post – Nandkathi,
District : Durg (CG).

3. **Panchu Ram Sahu**
S/o Shri. Dhanaji Sahu,
Aged around 55 years,
Retired Helper, P.No. **45062**
H.S.C.L.- Bhilai
Resident of : Village – Nandkathi,
Post – Nandkathi,
District : Durg (CG).

4. **Jethu Ram**
S/o Shri. Bhuwneshwar Thakur,
Aged around 50 years,
Retired Helper, P.No. **45985**
H.S.C.L.- Bhilai
Resident of : Village – Boregaon,
Post – Nandkathi,
District : Durg (CG).

शपथ आयुक्त
बिलासपुर तहसील कोर्ट

5. **Than Singh Verma**
S/o Shri. Brijlal Verma,
Aged around 52 years,
Retired Helper, P.No. **45313**
H.S.C.L.- Bhilai
Resident of : Village – Ravalidih,
Post – Nandkathi,
District : Durg (CG).

Counsel for UOI was not present At the time of filing of Petition Sdy CFP. 18-8-05

6. **Feru Ram**
S/o Shri. Aitu Ram,
Aged around 57 years,
Retired Helper, P.No. **43592**
H.S.C.L.- Bhilai
Resident of : Village – Boregaon,
Post – Nandkathi,
District : Durg (CG).

7. ~~Manju~~ Majnu 16-9-2005
S/o Shri. Pachkod Sahu,
Aged around 58 years,
Retired Helper, P.No. **45100**
H.S.C.L.- Bhilai
Resident of : Village – Nandkathi,
Post – Nandkathi,
District : Durg (CG). .... **Petitioners**

VERSUS

1. Union of India,
Through : The Secretary,
Ministry of Steel and Mines,
192, Udyog Bhawan, **New Delhi**.

2. The Chairman & Managing Director,
Hindustan Steel Works Construction Limited,
5/1, Commissariate Road, Hostings,
Kolkata – 700022 (WB).

3. The Assistant General Manager (Personnel),
Hindustan Steel Works Construction Limited,
5/1, Commissariate Road, Hostings,
Kolkata – 700022 (WB).

4. The Assistant General Manager (Finance),
Hindustan Steel Works Construction Limited,
5/1, Commissariate Road, Hostings,
Kolkata – 700022 (WB).

5. The Assistant General Manager (Personnel),
Hindustan Steel Works Construction Limited,
Bhilai – District : Durg (CG).

6. The Assistant General Manager (Finance),
Hindustan Steel Works Construction Limited,
Bhilai – District : Durg (CG). .... **Respondents**

WRIT PETITION UNDER ARTICLE 226 / 227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF APPROPRIATE

ORDER, DIRECTION AND WRIT IN THE NATURE OF CERTIORARY, MANDAMUS ETC.

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ...W.P.4845/... **सन्** 2005

(65)

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

13-7-2006

Mr. Uttam Pandey, counsel for the petitioners.

Mr. S.K. Beriwal, Central Govt. Counsel for Union of India/respondent No.1.

Mr. P.S. Koshy, counsel for respondents No.2 to 6.

Heard.

As this matter is covered by the order of this Court dated 28-4-2005 passed in W.P.No.2/2001 and other similar connected petitions, as agreed by learned counsel for the parties, the matter is being disposed of at the admission stage itself.

The petitioners, i.e. 17 in number who have preferred this writ petition, were the employees of M/s. Hindustan Steel Works Construction Limited, Bhilai. The petitioners took VRS under the VRS scheme introduced by respondents No.2 & 3 vide circulars dated 10-11-1988, 18/19-11-1993, 28-6-1995, which was extended from time to time up to 2000.

The grievance of the petitioners, as mentioned in para 5.6 of the petition is that they have not been paid arrears of (V)Pay Commission Pay-Revision from 1-1-1996 to 31-12-1997; arrears of DA from 1-1-1999 till the date of petitioners' retirement; arrears of HRA @ 15% from 1-1-1997 till the date of petitioners' retirement; benefits of LTC; benefits of Long LTC; benefits of TA; benefits of transporting charges; benefits of packaging charges; benefits of settlement charges; and benefits of pension/family pension.

P.T.O.

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(66)

मामला क्रमांक W.P.4845/ **सन्** 2005

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश - 2 -	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

As far as claim No.(x) i.e. benefits of pension/family pension with arrears thereof is concerned, learned counsel for the petitioners urged that as per the VRS, no such benefit was admissible to the employees who took the VRS, therefore, he is not pressing this demand of the petitioners.

As far as other benefits are concerned, case of the petitioners is covered by the decision of this Court passed in W.P.No.2/2001 and other similar petitions. The benefits i.e. arrears of 5th Pay Commission Pay-Revision to the petitioners w.e.f. 1-1-1996 to 31-12-1997, increased DA, increased HRA, transportation charges of their luggage, benefits of self travelling, family member's traveling, package charges, benefits of settlement charges etc., as per the order dated 28-4-2005, the Court has directed the respondents to pay the above benefits to the petitioners therein. On similar ground, the petitioners herein are also entitled for the same benefits which have been ordered in W.P.No.2/2001 vide order dated 28-4-2005.

As the petitioners' petition is fully covered by order dated 28-4-2005, therefore, the same is allowed. The respondents are directed to pay all benefits to the petitioners in accordance with the order dated 28-4-2005 passed in W.P.No.2/2001 and other similar connected petitions.

Parties are entitled for certified copy of this order.

Sd/-
L.C. Bhadoo
Judge

Soma

P.T.O.

30/4/05 Ram 24/4/05 8/11/14